

Part III: Detailed Office Action

Notice: Effective June 18, 2000, the Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Examiner Lorraine Spector, in Group Art Unit 1647.

Restriction Requirement:

Applicant's election without traverse of Invention I, with an election of species in which both $\beta 1$ and $\beta 2$ have FSH agonist activity in Paper No. 8 filed 12/8/00 is acknowledged.

Upon further consideration of the claims, an additional restriction requirement is set forth below:

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-12 as drawn to methods of administering fusion proteins consisting of two β and one α subunits (with appropriate linkers), classified in class 424, subclass 192.1.
- II. Claims 1-12 as drawn to methods of administering a complex of a fusion protein consisting of a single α and a single β subunit (with appropriate linkers) *noncovalently linked* to a second β subunit, classified in class 424, subclass 193.1.

The inventions are distinct, each from the other because:

The two groups require use and search of two physically and chemically distinct active agents, which require separate searches. The search for pseudotrimeric glycoprotein hormones is not the same as the search for a pseudodimeric glycoprotein hormone in non-covalent association with an additional β subunit.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification and recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Serial Number 09/175017

Art Unit 1647

Advisory Information:

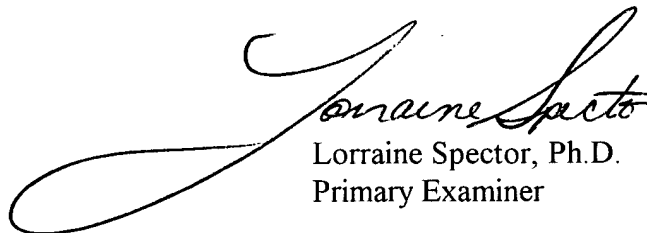
Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Lorraine M. Spector, whose telephone number is (703) 308-1793. Dr. Spector can normally be reached Monday through Friday, 9:00 A.M. to 5:30 P.M.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Gary Kunz, can be reached at (703)308-4623.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist at telephone number (703) 308-0196.

Certain papers related to this application may be submitted to Group 1600 by facsimile transmission. Papers should be faxed to Group 1600 via the PTO Fax Center located in Crystal Mall 1 (CM1). The faxing of such papers must conform with the notices published in the Official Gazette, 1156 OG 61 (November 16, 1993) and 1157 OG 94 (December 28, 1993) (see 37 C.F.R. § 1.6(d)). NOTE: If Applicant *does* submit a paper by fax, the original signed copy should be retained by applicant or applicant's representative. NO DUPLICATE COPIES SHOULD BE SUBMITTED so as to avoid the processing of duplicate papers in the Office.

Official papers filed by fax should be directed to (703) 305-4242. Faxed draft or informal communications with the examiner should be directed to (703) 308-0294. **Please** advise the Examiner at the telephone number above when an informal fax is being transmitted.


Lorraine Spector, Ph.D.
Primary Examiner

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